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10/738,475	12/17/2003	Sachin Govind Deshpande	10237.29	8213

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EXAMINER	
DANIELS, ANTHONY J	
ART UNIT	**PAPER NUMBER**
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/738,475	DESHPANDE, SACHIN GOVIND	
	Examiner	Art Unit	
	Anthony J. Daniels	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 May 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment, filed 5/2/2007, has been entered and made of record. Claims 1-31 are pending in the application.

2. The amendment to abstract has overcome the examiner's objection.

Response to Arguments

1. Applicant's arguments with respect to claims 1,23 and 28 and the Tanaka and Fukusawa combination have been considered but are moot in view of the new ground(s) of rejection.

It is unclear whether Tanaka is transmitting real-time images in the second embodiment. Therefore, a new ground of rejection is being used for the independent claims.

2. To the extent that applicant's arguments with respect to the Driscoll Jr. reference and claims 5-12 remain applicable, they have been fully considered but they are not persuasive.

Applicant states, "The [combination of Tanaka and Fukusawa with Driscoll] proposed by the Examiner would not provide controls of a real-time video service provided by a remote video camera, as Driscoll only teaches post-processing by the remote computer device, which is a completely different control mechanism than those claimed by Applicant." The examiner disagrees with this statement and respectfully submits that Driscoll Jr. need not provide a real-time system as Kurosawa teaches a real-time system. Moreover, Driscoll Jr. teaches that the disclosed system is applicable to a real time one (see Driscoll Jr., Col. 11, Lines 50-61).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-6 and 13-31 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohi et al. (US # 7,113,971) in view of Tanaka et al. (US 2006/0008175).

As to claim **1**, Ohi et al. teaches a method for remotely controlling the remote video input device (Col. 9, Line 61- Col. 10, Line 5), the method comprising: providing a remote video input device that is configured to provide a real-time video service, wherein the remote video input device is a remote video camera (Figure 11, video camera "113"; Col. 9, Lines 57 and 58; Col. 10, Lines 10-13, "...live video images can be obtained..."); receiving a description of the video service that is provided by the remote video input device (Figure 15, "Welcome to Camera View of Mt. Fuji enjoy current View of Mt. Fuji"); and remotely controlling an action of the video service (Col. 9, Line 61- Col. 10, Line 5). The claim differs from Ohi et al. in that it further requires that a control point be used to discover the remote video input device.

In the same field of endeavor, Tanaka et al. teaches a video image transfer system wherein video images are transmitted from a camera to a client via the Internet. The video cameras connect to the network using UPnP protocol ([0152]-[0154]). In light of the teaching of Tanaka et al., it would have been obvious to one of ordinary skill in the art to connect the camera and client of Ohi et al. via UPnP protocol, because an artisan of ordinary skill in the art would

recognize that UPnP protocol provides a seamless connection and simplification of network connectivity.

As to claim **2**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein step for using a control point to discover a remote video input device utilizes a UPnP protocol (see Tanaka et al., [0153], Lines 4-6).

As to claim **3**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 2, wherein the step for receiving a description of the video service that is provided by the remote video input device further employs the UPnP protocol (see Tanaka et al., [0153], Lines 4-6).

As to claim **4**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the control point comprises any control point of the system (see Tanaka et al., [0153], Lines 4-6).

As to claim **5**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the action corresponds to a brightness setting of the remote video input device (Figure 15, brightness slide bar "5018").

As to claim **6**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 5, wherein the action comprises: (i) querying a current brightness setting of the remote video input device (see Ohi et al., Figure 15, http://cam.www.co.jp/P20T5Z2I5; *{The examiner interprets querying as entering the address of the bookmarked site and observing the position of the brightness slide bar "5018".}*); and (ii) establishing a brightness setting for the remote video input device (see Ohi et al., Col. 10, Lines 10-12).

As to claim **13**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the action corresponds to a zoom setting of the remote video input device (see Ohi et al., Figure 15, zoom slide bar "5020").

As to claim **14**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 13, wherein the action comprises: (i) querying a current zoom setting of the remote video input device (see Ohi et al., Figure 15, http://cam.www.co.jp/P20T5Z2I5; *{The examiner interprets querying as entering the address of the bookmarked site and observing the position of the zoom slide bar "5020".}*); and (ii) establishing a zoom setting for the remote video input device (see Ohi et al., Col. 10, Lines 10-12).

As to claim **15**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the action corresponds to a pan setting of the remote video input device (see Ohi et al., Figure 15, pan slide bar "5014").

As to claim **16**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 15, wherein the action comprises: (i) querying a current pan setting of the remote video input device (see Ohi et al., Figure 15, http://cam.www.co.jp/P20T5Z2I5; *{The examiner interprets querying as entering the address of the bookmarked site and observing the position of the pan slide bar "5014".}*); and (ii) establishing a pan setting for the remote video input device (see Ohi et al., Col. 10, Lines 10-12).

As to claim **17**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the action corresponds to a tilt setting of the remote video input device (see Ohi et al., Figure 15, tilt slide bar "5016").

As to claim **18**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 17, wherein the action comprises: (i) querying a current tilt setting of the remote video input device (see Ohi et al., Figure 15, http://cam.www.co.jp/P20T5Z2I5; *{The examiner interprets querying as entering the address of the bookmarked site and observing the position of the tilt slide bar "5016".}*); and (ii) establishing a tilt setting for the remote video input device (see Ohi et al., Col. 10, Lines 10-12).

As to claim **19**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the action corresponds to a focus setting of the remote video input device (Col. 23, Lines 12-16; *{The combination of the pan, tilt and zoom values are indicative of a focus value.}*).

As to claim **20**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 19, wherein the action comprises: (i) querying a current focus setting of the remote video input device (see Ohi et al., Figure 15, http://cam.www.co.jp/P20T5Z2I5; *{The examiner interprets querying as entering the address of the bookmarked site and observing the position of the pan, tilt and zoom slide bars.}*); and (ii) establishing a focus setting for the remote video input device (see Ohi et al., Figure 15, pan, tilt and zoom slide bars "5014", "5016" and "5020"; Col. 10, Lines 10-12).

As to claim **21**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1, wherein the action corresponds to a status setting of the remote video input device (see Ohi et al., Figure 15, pan, tilt and zoom slide bars "5014", "5016" and "5020"; *{These are indicative of the angle status of the remote camera.}*).

As to claim **22**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 21, wherein the action comprises at least one of: (i) querying a current status setting of the remote video input device (see Ohi et al., Figure 15, http://cam.www.co.jp/P20T5Z2I5; *{The examiner interprets querying as entering the address of the bookmarked site and observing the position of the pan, tilt and zoom slide bars.}*); and (ii) establishing a status setting for the remote video input device (see Ohi et al., Col. 10, Lines 10-12).

As to claim **23**, Ohi et al. teaches a networked video system (Figure 11) comprising: a video device coupled to a network (Col. 5, Lines 56-61), wherein the video device is a video camera (Figure 11, video camera "113") configured to selectively provide a real-time video service (Col. 10, Lines 10-13, "...live video image can be obtained..."); a external device configured to receive a description of the video service that is provided by the remote video input device (Figure 15, "Welcome to Camera View of Mt. Fuji enjoy current View of Mt. Fuji"), and remotely control an action of the video service (Col. 9, Line 61- Col. 10, Line 5). The claim differs from Ohi et al. in that it further requires a remote control point coupled to the network configured to discover the remote input device.

In the same field of endeavor, Tanaka et al. teaches a video image transfer system wherein video images are transmitted from a camera to a client via the Internet. The video cameras connect to the network using UPnP protocol ([0152]-[0154]). In light of the teaching of Tanaka et al., it would have been obvious to one of ordinary skill in the art to connect the camera and client of Ohi et al. via UPnP protocol, because an artisan of ordinary skill in the art would recognize that UPnP protocol provides a seamless connection and simplification of network connectivity.

As to claim **24**, Ohi et al., as modified by Tanaka et al., teaches a system as recited in claim 23, wherein the remote control point uses a UPnP protocol to discover the remote video input device, receive a description of the video service that is provided by the remote video input device, and remotely control the action of the video service (see Tanaka et al., [0154], Lines 4-6).

As to claim **25**, Ohi et al., as modified by Tanaka et al., teaches a system as recited in claim 23, wherein the control point is any control point of the system (see Tanaka et al., [0154], Lines 4-6).

As to claim **26**, Ohi et al., as modified by Tanaka et al., teaches a system as recited in claim 23, wherein the action corresponds to at least one of: (i) a zoom setting of the remote video input device **(see Ohi et al., Col. 10, Lines 3-5)**; (ii) a pan setting of the remote video input device; (iii) a tilt setting of the remote video input device; (iv) a focus setting of the remote video input device; (v) a status setting of the remote video input device; (vi) a brightness setting of the remote video input device; (vii) a contrast setting of the remote video input device; (viii) a hue setting of the remote video input device; and (ix) a saturation setting of the remote video input device.

As to claim **27**, Ohi et al., as modified by Tanaka et al., teaches a system as recited in claim 26, wherein the action comprises at least one of: (i) querying a current zoom setting of the remote video input device; (ii) establishing a zoom setting for the remote video input device **(see Ohi et al., Col. 10, Lines 3-5)**; (iii) querying a current pan setting of the remote video input device; (iv) establishing a pan setting for the remote video input device; (v) querying a current tilt setting of the remote video input device; (vi) establishing a tilt setting for the remote video

input device; (vii) querying a current focus setting of the remote video input device; (viii) establishing a focus setting for the remote video input device; (ix) querying a current status setting of the remote video input device; (x) establishing a status setting for the remote video input device; (xi) querying a current brightness setting of the remote video input device; (xii) establishing a brightness setting for the remote video input device; (xiii) querying a current contrast setting of the remote video input device; (xiv) establishing a contrast setting for the remote video input device; (xv) querying a current hue setting of the remote video input device; (xvi) establishing a hue setting for the remote video input device; (xvii) querying a current saturation setting of the remote video input device; and (xviii) establishing a saturation setting for the remote video input device.

As to claim **28**, Ohi et al. teaches a computer program product for implementing within a computer system a method for remotely controlling a remote video input device, the computer program product comprising: a computer readable medium for providing computer program code means utilized to implement the method (Col. 2, Lines 34-36), wherein the computer program code means is comprised of executable code for implementing the steps for: using a control point to discover a remote video input device that is configured to provide a real-time video service, wherein the remote input device is a remote video camera; receiving a description of the video service that is provided by the remote video input device; and remotely controlling an action of the video service. *See the rejection of claim 1 above.*

As to claim **29**, Ohi et al., as modified by Tanaka et al., teaches a computer program product as recited in claim 28, wherein the step for using a control point to discover a remote video input device utilizes a UPnP protocol, and wherein the step for receiving a description of

the video service that is provided by the remote video input device further employs the UPnP protocol (see Tanaka et al., [0154], Lines 4-6).

As to claim **30**, Ohi et al., as modified by Tanaka et al., teaches a computer program product as recited in claim 28, wherein the action corresponds to at least one of: (i) a zoom setting of the remote video input device **(see Ohi et al., Col. 10, Lines 3-5)**; (ii) a pan setting of the remote video input device; (iii) a tilt setting of the remote video input device; (iv) a focus setting of the remote video input device; (v) a status setting of the remote video input device; (vi) a brightness setting of the remote video input device; (vii) a contrast setting of the remote video input device; (viii) a hue setting of the remote video input device; and (ix) a saturation setting of the remote video input device.

As to claim **31**, Ohi et al, as modified by Tanaka et al., teaches a computer program product as recited in claim 30, wherein the action is one of: (i) querying a current zoom setting of the remote video input device; (ii) establishing a zoom setting for the remote video input device **(see Ohi et al., Col. 10, Lines 3-5)**; (iii) querying a current pan setting of the remote video input device; (iv) establishing a pan setting for the remote video input device; (v) querying a current tilt setting of the remote video input device; (vi) establishing a tilt setting for the remote video input device; (vii) querying a current focus setting of the remote video input device; (viii) establishing a focus setting for the remote video input device; (ix) querying a current status setting of the remote video input device; (x) establishing a status setting for the remote video input device; (xi) querying a current brightness setting of the remote video input device; (xii) establishing a brightness setting for the remote video input device; (xiii) querying a current contrast setting of the remote video input device; (xiv) establishing a contrast setting for the

remote video input device; (xv) querying a current hue setting of the remote video input device; (xvi) establishing a hue setting for the remote video input device; (xvii) querying a current saturation setting of the remote video input device; and (xviii) establishing a saturation setting for the remote video input device.

2. Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohi et al. (US # 7,113,971) in view of Tanaka et al. (US # 2006/0008175) and further in view of Driscoll Jr. et al. (US # 6,583,815).

As to claims **7-12**, Ohi et al., as modified by Tanaka et al., teaches a method as recited in claim 1. The claims differ from Ohi et al., as modified by Tanaka et al., in that it further requires that the action correspond to a contrast setting, a hue and a saturation setting and that the action comprise: (i) querying a current contrast, hue and saturation setting of the remote video input device and (ii) establishing a contrast, hue and saturation setting of the remote video input device.

In the same field of endeavor, Driscoll Jr. et al. teaches panoramic video image system (Figure 13A) wherein a remote video input device (Figure 13A, CCD camera "1205" and computer system "1200") provides streaming video over a network to a client (Col. 10, Lines 37-Col. 11, Line 4). Using a GUI (graphical user interface) (Figure 13B), the client controls the remote video input unit by providing instructions to adjust image parameters. The parameters include image contrast and tint (Col. 11, Lines 13-39; *{Adjusting the tint of an image indirectly adjusts the hue and saturation of that image. The settings are queried when a user accesses the GUI and observes the contrast and tilt bars.}*). In light of the teaching of Driscoll Jr. et al., it

would have been obvious to one of ordinary skill in the art to include the ability to adjust the image parameters of brightness, contrast and tint in the system of Tanaka et al., as modified by Fukusawa et al., because an artisan of ordinary skill in the art would recognize that this would allow the user adjust the image quality to his/her liking.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362. The examiner can normally be reached on 8:00 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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